

Mari Teigen

9 Can Descriptive Representation be Justified outside Politics?

A gender balance norm for representation in democratic decision-making has spread globally in only a few years, as witnessed in the tremendous development of gender balance in national legislatures from 2000 till today.¹ In 2000 the Nordic countries topped the rankings of gender balance in parliaments: Sweden in first place, followed by Denmark, Finland, Norway, the Netherlands in between, and then Iceland in sixth place. In 2016 the picture was quite different. At the top of the list we find Rwanda, followed by Bolivia and Cuba; Iceland snaps into fourth place, Sweden at sixth, Finland 11th, Norway 14th, and Denmark squeezes in among the top 20 countries in 19th place. Throughout this period, women's representation in parliaments in the Nordic countries has been stable at around 40 per cent; it is the increased representation of women in national legislatures in countries of the global South that has led to rotations in the positions between the countries.² In this chapter, my area of interest is however not limited to gender balance in politics but is also in the parallel diffusion of the gender balance norm across institutional contexts, from the political organization to the corporate world – with a particular interest in similarities and differences in arguments for gender balance.

Hanna Pitkin's seminal work on representation focuses on the abstract criteria of what representation entails and makes a distinction between descriptive, substantive and symbolic representation (Pitkin, 1967). In this chapter the attention is drawn to descriptive representation. In political organizations, descriptive representation – that the social background of representatives mirrors, at least to some extent, the social background in the electorate – has been central (Norris & Lovenduski, 1993; Phillips, 1995; Mansbridge, 1999; Childs & Lovenduski, 2013; Allern et al., 2016). It is descriptive representation of gender that is approached in this chapter, but clearly if arguments for the descriptive representation of gender are valid, other aspects of descriptive representation could also be valid, such as ethnic background, regional background etc. Hence, although sometimes contested, the descriptive representation of gender – gender balance – is considered a central norm for the composition of political institutions.³ From this point of departure I explore the relevance and

¹ <http://www.ipu.org/wmn-e/arc/classif010916.htm>

² The representation of women in the national parliament in place 20 changed from 23,5 % (Seychelles) in 2000 to 37,3 % (Netherlands) in 2016.

³ Keeping in mind that 'gender is not a synonym for women' (cf. Murray, 2014), it is most typically the overrepresentation of men that is at issue (Bjarnegård, 2013).

validity of arguments for gender balance in political institutions and ask whether they also are relevant and valid in another institutional context: economic life.

Nonetheless, in other institutional contexts, such as in the labour market, and in the corporate world in particular, although gender skewed power structures have been highlighted, it has been less common to argue that gender balance should be a norm for the composition of decision-making bodies. Until recently continued male dominance in economic top positions has primarily been addressed in terms of causes and effects; policies and regulations to achieve gender balance have been less in focus. In contrast, the prevalent dominance of men in political organization has been much debated in terms of policies, with a particular focus on gender quotas to get more women elected to political office (Dahlerup & Freidenvall, 2005; Krook, 2009; Franceschet & Piscopo, 2013; Bjarnegård, 2013; Krook, 2014; Murray, 2014). The emphasis on the descriptive representation of gender in political organizations relates to the prominent status of group-based inclusion in democracy and thus to legislatures (Dahl, 1998). In economic life executive as well as non-executive positions, where very few people make it to the top, have remained in a market-logic discourse of ‘profit & loss’ (Chandler, 2016, p. 445). However, currently male dominance in top positions in the corporate world is now firmly on the public agenda.

At the global level the Beijing Declaration and Platform for Action – the UN’s 4th world conference on women in 1995 – established the principle of equal participation of women and gender balance for the first time (Lépinard & Marin, forthcoming). One goal of gender balance included social, political and economic decision-making, although the pivotal role of political decision-making was emphasized in particular.⁴ Gender balance is further ascertained in the recent *European Commission Strategic Engagement for Gender Equality 2016–2019*, where the descriptive representation of gender in decision-making is addressed as a broad concern for several social areas. Under the heading *Promoting equality in decision-making* the strategy pinpoints the following areas as important for the goal of better gender balance: non-executive directors (board members) of companies listed on stock exchanges; executive directors of major listed companies (and in the talent pipeline); research organizations; political decision-making bodies; and public life, including sports.⁵ In other words, political decision-making is presented as an area for the promotion of gender balance of equal status with other society areas. The gender balance norm comes forth as equally important to a range of social spheres.⁶ The expansion of the critical role of gender balance to a broad spectrum of areas (political, social and economic) addresses

⁴ Beijing Declaration and Platform for Action, 186, page 80 <http://www.un.org/womenwatch/daw/beijing/platform/>

⁵ http://ec.europa.eu/justice/gender-equality/gender-decision-making/index_en.htm

⁶ Descriptive representation of gender and gender balance will be used interchangeably. Another synonym would be gender parity, much used in the politics and gender literature.

the question of whether and on what grounds the descriptive representation of gender is a pressing concern within different institutional contexts. Thus, in this chapter I aim to explore the institutional specificity of arguments for the descriptive representation of gender and whether such arguments are equally valid and relevant in the institutional context of economic decision-making, specifically in relation to corporate boards, as in the institutional context of political organizations.

The analysis takes as a point of departure the fundamental assumption within discursive institutionalism that ‘ideas matter’: ‘Ideational power as the capacity of actors (individual or collective) to influence other actors’ normative and cognitive beliefs through the use of ideational elements’ (Carstensen & Schmidt, 2016, p. 321). The basic assumption is that actors with power engage in policy debates with the ambition to succeed in promoting certain ideas at the expense of other ideas. The following analysis emphasizes arguments in favour of the descriptive representation of gender. The counter-arguments are largely my concern, as my interest is with reasoning for gender balance across societal areas and not arguments for and against gender balance (see Holst, 2016).

In the first part of the chapter an institutional perspective on the difference between political and economic decision-making is presented, including the tendency towards institutional confusion. In the second part I draw on representation theory and present some central arguments within the political science literature in favour of the descriptive representation of gender in political organizations. In the third, I present the main arguments for a descriptive representation of gender in economic decision-making, more precisely arguments for corporate board gender quotas as they were put forward in the Norwegian policy debate (by the government, consultative bodies and in the parliamentary debate) prior to the historic adoption of corporate board gender quotas by the Norwegian parliament in 2003. I then discuss the arguments in favour of the regulation of gender balance in corporate boards in light of the main arguments central in the political science literature for the descriptive representation of gender in political structures.

9.1 Politics and the Economy – An Institutional Perspective

Politics and economy refer to two institutionalized organizational types: political organizations and companies (Brunsson, 1994, 2009). The ideal institutional types of the political organization and the company differ in regard to how they are organized internally and externally; moreover, political and economic (companies) organizations both need legitimacy, but they are founded on different sources. The environment of political organizations consists of citizens, characterized by a variety of interests and demands. It is the mechanism of democracy that secures the representation of the interests and demands of the citizens. The environment of the company comprises customers, characterized by much more specific or

limited demands. It is the mechanism of competition that secures the legitimacy of companies. If the customer is not satisfied with the company, she takes her business elsewhere (Brunsson, 1994, pp. 324–325).

This differentiation of organizations categorized as political and economic (company) organizations entails ideal types. Organizations are typically constructed in ways that combine elements from different institutional types. Companies are politicized and political institutions are company-ized. Neoliberalism is often used as the name of an ideology that has pervaded political institutions and government administrations with company-ized principles, hailed by key international institutions like the World Trade Organization (WTO), the International Monetary Fund (IMF), the World Bank and the European Central Bank. The politicization of companies implies that companies take on some of the characteristics of political organizations, often in an effort to demonstrate legitimacy – for instance by creating and supporting values widely held to appear decent, just, rational, effective and modern.

The increasing political attention to gender balance for corporate boards, as well as the diffusion of the actual legal regulation of the gender balance of corporate boards, can be interpreted as an expression of the politicization of companies. However, interestingly, companies have become politicized not as a result of internally driven processes but as a result of state-imposed regulations. In a sense it appears counterintuitive that regulations of gender balance diffuse in a time characterized by neoliberalism and deregulation. However, as argued by Vogel, deregulation often combines liberalization with re-regulations, ‘Hence we have wound up with freer markets and more rules’ (1996, p. 3).

The politicization of companies and the company-ization of political organizations have been called ‘institutional confusion’ (Brunsson, 1994, 2009; Olsen, 1998). Institutional confusion refers to changes where the autonomous institutions characterized by relatively clearly defined boundaries of power and authority are threatened by an increasing tendency of institutional boundaries becoming blurred. Reform processes may produce institutional imbalances as governance principles are transferred from one institutional context to another with a lack of responsiveness to the characteristics of institutional distinctiveness. Institutional confusion may be caused by organizations adapting to changes in their environment, such as for instance state regulations (Brunsson, 1994, p. 333). Hence, corporate board gender quotas may be interpreted as politicizations of companies, conceptualized as ‘institutional confusion’ (cf. Olsen, 1998; Brunsson 1994, 2009).

In this chapter the perspective on institutional confusion does not engage with the consequences for institutions; rather the perspective is more curiosity-driven. The diffusion of gender balance regulations from politics to the economy in

several countries, and as debated in the proposed EU directive,⁷ may well illustrate institutional confusion. What I have set out to explore is to what extent arguments for the descriptive representation of gender in political structures appear also valid and relevant in the context of economic decision-making and to contemplate similarities and differences according to institutional context.

9.2 Gender Balance and the Concept of Representation

Political representation is pivotal in democratic political systems, where the capacity to speak and act on the behalf of other persons is central to our understanding of democracy (Norris & Lovenduski, 1993; Dahl, 1998). Hanna Pitkin (1967) defines representation through the concept's original linguistic meaning, as the act of 'making present again'. Hence political representation refers to the activity of making citizens' voices, opinions and perspectives 'present' in policy-making processes. Political representation is commonly understood as concerning the relationship between voters and representatives. Representation is then about the transmittance of power from the population to elected assemblies that are set to express the will of their citizens. What we mean by 'representation' more precisely is often either not explicated or contested (Mansbridge, 2011).

A main distinction within representation theory is between those emphasizing the need for recruiting representatives of competence and those emphasizing representative democracy's need to resemble – 'mirror' – the main divisions in the population by gender, ethnicity etc. The first strand emphasizes a concern for the competence of those elected to represent the voters' preferences, opinions and beliefs. The second strand points out that to represent the political interests, perspectives and views of the electorate, those in elected office need, to some extent, to 'mirror' the social composition of the population. This latter view is widely known as 'descriptive representation' and means that the representative in some sense is typical of the larger class of persons they represent.

Phillips has coined the distinction of the two strands in representation theory as a distinction between a 'politics of ideas' and a 'politics of presence' (Phillips, 1995). Her idea of a politics of presence, in which democratically representative

⁷ The European Commission's Proposal for a Directive of the European Parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures planned to introduce a binding objective of at least 40 percent of board members of each gender by 2020 for non-executive directors, based on the argument that board directors have a crucial role in the appointment of the highest level of management and shaping the company's human resources policy. The directive proposal has not been adopted but expresses a strong political will for imposing gender balance on corporate boards in Europe. <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1441109473231&uri=CELEX:52012PC0614>

decisions require the participation of key groups, has been highly influential on the development of and contemplation over descriptive representation and in particular on the importance of political assemblies to represent both genders.

However, among those arguing for the descriptive representation of gender, descriptive representation is often connected to the need for competence selection – or as argued by Murray (2014), that the overrepresentation of men implies restrictions in the talent pool for recruitment to political positions.

9.3 Arguments for Descriptive Representation of Gender in Political Organizations

A broad body of political science literature has contributed extensive analysis of arguments for the descriptive representation of gender (cf. Phillips, 1998; Dovi, 2007; Wängnerud, 2009; Childs & Lovenduski, 2013). In the following I present five central arguments for the importance of the descriptive representation of gender: the justice argument, the difference/overlooked interest argument, the role model argument, the legitimacy argument and the pragmatic argument.⁸

Justice arguments for the descriptive representation of gender simply maintain that it is unfair for men to dominate political decision-making (Phillips, 1998). The insufficient descriptive representation of women – or the overrepresentation of men (cf. Murray, 2014) – is viewed as an indication of exclusion, where the judgements of gatekeepers, that is within the party system, is presumed to hamper the likeliness of the nomination of women and other marginalized groups. Measures to promote the descriptive representation of gender, notably gender quotas, have been justified as remedies to reduce gender dynamics that tend to exclude women from political office (Krook, 2006; Nanivadekar, 2006). Gender quotas in politics have strongly been advocated in terms of justice – for example, that gender quota procedures are necessary to counter gendered dynamics in recruitment processes to political office (Krook, 2006). In her study of the impact of gender quotas in German politics, Davidson-Schmich (2016, p. 137) finds that quotas lift the women who join parties into eligibility, and as a result they are just as willing to accept nomination to parliament. Murray (2014), however, turns the discourse and argues for ceiling quotas for men.

⁸ These arguments mainly build on Childs and Lovenduski's (2013) categorization of three arguments for why women should be represented in political institutions: justice, pragmatism and difference; and Dovi's (2007) six arguments for the adequate representation of women: the role model argument, the justice argument, the legitimacy argument, the trust argument, the transformative argument and the overlooked interest argument. Dovi's six arguments expand on Anne Phillips's (1998) four arguments: overlooked interest, justice, revitalized democracy and the role model argument.

Difference – or overlooked interest – arguments for the descriptive representation of gender emphasizes first and foremost women (and men) as heterogeneous groups, which need to be roughly equally represented to have their differences represented. In addition, women can be argued to bring something different into politics, in terms of style, approach and interests, in political structures monopolized by men.

The difference argument for the descriptive representation of gender is outcome-oriented and lends itself to the idea that the descriptive representation of gender in political structures yields substantive outcomes. Substantive representation is typically understood either in an essentialist manner, where men and women are treated as two main groups that are systematically different in opinions and interest; or the substantive representation of gender can be argued in a more non-essentialist manner, where the multiple interests, opinions and perspectives of women (and men) are stressed, and hence the descriptive representation of gender is necessary to achieve adequate representation of citizens' voices, opinions, interests and perspectives (Dovi, 2007, p. 315).

The key question is whether the inclusion of women in formerly male-dominated political structures makes a difference. A main assumption has been that the gender composition of elected bodies will have an effect on policy outcomes. Arguments in line with the 'politics of presence' have been that the presence of women is necessary for the representation of women's interests – and that the number of women elected affects the representation of women's interests (Wängnerud, 2009). Thus the descriptive representation of gender is regarded as necessary for the interests of women to be adequately represented. Interests resulting from gender differences in the labour market, wage inequality, women's larger care responsibilities and exposure to violence and sexual harassment, among other things, supposedly have the implication that some policy issues are of higher priority to women than men (Phillips, 1995).

Legitimacy as an argument for gender balanced political representation claims that equal representation of both genders increases the legitimacy of democratic institutions because the presence – or absence – of formerly excluded groups symbolizes a historically and socially embedded meaning of who are recognized as fit to hold political power (Mansbridge, 1999). If only a few women are elected, the impression that politics is only for men may be reinforced and thereby discourage women from coming forward and standing for election (Sapiro, 1981; Norris & Lovenduski, 1993; Phillips, 1995; Wängnerud, 2009). Jane Mansbridge (1999) argues that descriptive representation increases legitimacy and related aspects in the way it facilitates adequate communication in contexts of mistrust, enhances the articulation of uncrystallized interests and counters historical subordination by creating a social meaning of the 'ability to rule'. In other words, gender-balanced political assemblies

may lead to the revitalization of the public's faith in the political system (Baldez, 2006).⁹

The *role model* argument for gender-balanced representation emphasizes symbolic aspects. Seeing women top politicians within male-dominated structures sends the message that these positions are also open to persons with non-dominant descriptive characteristics (Wolbrecht & Campbell, 2007; Gilardi, 2015). The descriptive representation of gender is assumed to enhance motivation because it symbolically indicates 'belonging' for citizens who share those same characteristics. The simple claim is that the presence of more women in male-dominated areas has an important motivating effect on other women, that they become more motivated towards careers in male-dominated areas as a consequence of the existence of women role models.

Pragmatic arguments for the descriptive representation of gender emphasize the importance of political parties to be perceived as more woman-friendly to attract more women voters. The presence of more women representatives appears then as an approach to appeal to women voters. The creation of a dynamic of party competition has been a major explanation of why the descriptive representation of women increased rapidly in some countries during the 1980s, as illustrated in Norway. Broad similarities in patterns of the integration of women as party representatives indicate that competition has worked to the advantage of women (Skjeie, 1991). In line with this, it is argued that the increased representation of women signals inclusiveness and may change stereotypical views about politics as a male domain (Franceschet et al., 2012).

The arguments presented above of course do not catch all variants of the arguments that have appeared in the literature for the descriptive representation of gender in political structures. Still, I argue that they capture the breadth of reasoning for the descriptive representation of gender in political decision-making. In the next section I survey the main arguments in favour of gender balance in economic decision-making, or more precisely, in corporate boards, as they emerged in the Norwegian policy debate prior to the adoption of corporate board gender quotas.

9.4 Arguments for Descriptive Representation of Gender in Corporate Boards

The relative absence of women in top-management positions has been debated for more than four decades (cf. Kanter, 1977; Davidson & Burke, 2000; Cotter et al., 2011;

⁹ Phillips (1998) and Dovi (2007) separate the transformative argument. The transformative element implies that democratic institutions are improved by a more equal representation of men and women and that having more women promises more basic changes to the political system (Dovi, 2007, p. 309). Transformation may be distinguished as an autonomous argument or as related to legitimacy and difference.

Ely et al., 2014). The debate was reignited by Norway's introduction of corporate board gender quotas in 2003 (Teigen, 2015).¹⁰ In this section the main arguments in favour of a descriptive representation of gender in corporate boards will be presented through an analysis of the Norwegian debate prior to the introduction of corporate board gender quotas (see also Teigen, 2002; Sørensen, 2013; Engelstad, 2015; Teigen, 2015). This analysis is based on a recent study of the main arguments presented in the government's consultation proposal (2001), the consultative bodies' responses (2001)¹¹, the government proposition to the parliament (2002–2003) and the debate in the parliament over the government proposition to regulate gender balance on corporate boards (2003).¹² The government's consultation with affected parties, mainly social partners, civil society organizations, public administration entities etc., was sent to 225 consultative bodies, of which 83 responded, 19 of these without comments. The organizations that argued against gender quotas are mainly employers' organizations and industry organizations.¹³

9.4.1 Main Arguments in Favour of Gender-Balanced Corporate Boards

The following analysis presents the main arguments in favour of corporate board gender quotas that came up in the political debate prior to the adoption of gender quotas for corporate boards in the Norwegian parliament in 2003.

A central argument in the debate on the regulation of gender balance in corporate boards emphasized such policy to be necessary to further gender equality. The strong male dominance in Norwegian economic decision-making and in corporate boards in particular is posited as unacceptable and as a possible indication of the unfair treatment of women. This argumentation is expressed through an argument that a gender-equal society is a society where gender balance is the norm, particularly in the distribution of positions of power. In line with this it is emphasized that economic

10 Gender quotas for corporate boards apply to a wide range of companies, including the boards of public limited companies (PLC), inter-municipal companies and state enterprises. Cooperative companies and municipal companies were included, respectively, in 2008 and 2009. The numerous private limited companies, however, often small, family-owned businesses, were not subject to gender quota legislation.

11 The arguments for corporate board gender quotas were less developed in the consultation process than the arguments against, indicating that the proponents assumed that the majority government's proposition would be passed in the parliament.

12 Christina Stoltenberg at the Institute for Social Research has been responsible for the gathering, coding and preliminary analysis of the policy documents.

13 Other analyses of the public media and political debates on gender quotas for corporate boards have informed the analysis of the consultation process (see Cvijanovic, 2009; Teigen, 2002; Evenrud, 2010; Engelstad, 2012; Sørensen, 2011, 2013).

decision-making concerns the management of societies' resources, hence decision-making bodies should 'mirror' the population. In the consultation statements a typical approach to justifying the gender quota proposition as being about justice is to express a general support for gender balance and gender equality:

'(...) YS believes this highlights the responsibility the labour market actors have to promote gender equality in a positive way'. (Consultation statement, YS [the confederation of vocational unions])

'The gender equality concern is regarded as important and should be applied to public limited companies and cooperative companies. Representation of both genders on the boards of such enterprises will therefore be an important political goal'. (Consultation statement, Oslo Bispedømmeråd [Oslo Diocesan Council])

The rather abstract support for gender equality as a goal in itself, as expressed in the quotes above, typically presents the idea of gender balance as a matter of democracy. Arguments on democracy are the most typically pointed out in the parliamentary debate.

'It is therefore an important democratic principle that both women and men are represented where important decisions are being made. I am convinced that a better and more equal gender balance will contribute to increased value, because half of those who use their services and are buying goods, are, in fact, women'. (Committee Chair, Sonja Irene Sjølie, the Conservative Party [Høyre])

'The goal and vision of the majority to increase gender equality and democracy will move us yet another step in the right direction!' (Rapporteur [saksordfører] Eli Sollied Øveraas, the Centre Party [Senterpartiet])

'The proposition under debate does in other words join the ranks of measures that are meant to improve the balance of descriptive characteristics on all levels of society. This also concerns important democratic principles in our society'. (Member of Parliament, Ole T. Lånke, the Christian Democratic Party)

Arguments in favour of the regulation of gender balance on corporate boards simultaneously emphasizing gender balance and gender equality appear to see these to be basic concerns in a just and democratic society, although the link between gender balance and gender equality on one hand, and justice and democracy on the other, is typically little explicated.

More explicit are the arguments for the regulation of gender balance on corporate boards contending that gender balance will lead to a better utilization of women's competences. The general argument is that the underrepresentation of women means a weak utilization of the talent pool. The argument lends itself to a classic argument

of human capital maintaining that since the total talent potential of a population is distributed fairly evenly between women and men, male dominance in corporate boards indicates an under-utilization of women's talent and skills and that gender balance will enhance companies' profitability.

The argument that more women on company boards will be 'good for companies' was central in the proposition sent out to consultation by the Ministry of Children and Family Affairs:

'It is clear that both genders are able to fill the relevant positions in business life equally well. It is by most taken for granted that women's education and competence is not inferior to men, even in areas particular for business. It is therefore a paradox that women continue to not be found in management positions in business life. This must mean that Norwegian business life is not utilizing the valuable competencies of women. Rules on gender representation will provide the resources so that women's business-relevant competences are better utilized, which will strengthen the management of business life'. (The Ministry of Children and Family Affairs, consultation proposal, 2001)

Arguments concerned with the utility and productivity advantages of gender balance in economic life in general and in corporate boards in particular are strongly emphasized by several actors in the debate, as particularly clearly expressed in the consultation statement from the Centre for Gender Equality:

'The fact that women are not elected to boards is a problem, also for competent women, but first and foremost for companies that exclude half of the country's resources, competences and impulses. It becomes a national problem in the sense that Norway will in the long run have a business sector that is unable to meet the needs of their customers, deal with competition and respond to demands for restructuring in a time where this is crucial. Positive action for women in companies' boards is therefore a question of profit and not a negative regulation imposed on the companies'. (The Centre for Gender Equality)

The Centre for Gender Equality argues strongly in favour of regulating gender balance in corporate boards in terms of the utilization of 'half the country's resources'. They also hint in the direction of women's special contribution: 'a business sector not able to meet the needs of the customers, competition or demands to restructure...', indicating that more women in economic decision-making is believed to provide diversity in perspectives that will improve the decision-making of corporate boards.

Reasoning concerned with the full utilization of men's and women's competences and resources is also emphasized in the parliamentary debate.

'The majority agrees that an average proportion among the regular board positions of only 7,3 per cent women is too low and unfortunate. If we are to promote a society development that accepts and utilizes both women's and men's competence, it is necessary to intervene. It is often difficult to understand why women are not to the same extent as men considered when board members are being appointed'. (Rapporteur [saksordfører], Eli Sollied Øveraas, the Centre Party)

‘The low proportion of women in the boards of Norwegian companies is unfortunate, and it is consequently necessary to intervene to further a development of a society that recognizes and utilizes the competence of both men and women’. (Committee Chair, Sonja Irene Sjølie, the Conservative Party)

‘In my view competence, education, age, experience and geography are often of great significance for the total competence in a board. My point of departure is that large societal resources were not utilized when the proportion of women in boards was 6–7 per cent’. (Minister of Trade and Industry, Ansgar Gabrielsen, the Conservative Party)

This line of argumentation emphasizes how the economy in general will benefit from a better utilization of women’s talents and competences. Thus gender balance is reasoned through arguments adjusted to the rhetoric of business life. It is clear, however, that the ‘utility of women’ is not maintained as an alternative to the more general commitment to a gender balance norm, as described earlier in this section. It appears more to be an additional argument for the necessity to adopt gender quotas.

The assumption that gender-balanced corporate boards will lead to more women coming forward as role models and by this motivate more women to proceed with careers in economic life is also mentioned as an argument in favour of gender quotas for corporate boards.

JURK (organization for legal aid for women) maintains that gender quotas for corporate boards will have a positive role model effect. In addition they argue that more gender balance will reduce network recruitment:

‘JURK believes that the legislative proposal and a general commitment to the area will lead to more female Norwegian leaders in the long term. Recruitment to many positions, also leadership positions, happens through networks. JURK believes that if one reaches a certain percentage level of women in leadership positions and on executive boards, it will work as a catalyst for the whole female population. More women will seek positions, and more employers will wish to utilize the competence of women’. (JURK)

A better utilization of the talent pool stresses the positive gains of gender balance, but a more negative reasoning is also present in the debate in favour of gender quotas for corporate boards, such as when it is argued that more women will provide more candidates to choose from to counter the problems of equality in Norwegian business life.

‘As of today the situation is that a few key people sit on the boards in company after company, which undermines the trust in the companies’ governing bodies. By legislating gender representation on corporate boards there will be more candidates to choose between, which can subsequently make it easier to avoid nepotism. (TEKNA,¹⁴ the Norwegian Society of Graduate Technical and Scientific Professionals)

¹⁴ TEKNA was called NIF at the time they responded to the consultation.

An argument of a somewhat different character emphasizes a kind of nationalistic concern. The reasoning is about Norway's position as a 'world-champion' of gender equality, which does not fit with the prevalence of male dominance in top positions in economic life:

'KrFK wants to highlight that it is about time that this field is regulated. It is embarrassing that Norwegian business life lags so far behind other countries by having such a low share of women in leadership positions'. (KrFK, the women's branch of the Christian Democrats)

Although it is not often expressed as clearly as in this quote, Norway's position as a forerunner in furthering gender equality is mentioned by several, and thus strong male dominance in economic decision-making is seen as paradoxical to the general image of a gender-equal Norwegian society.

My analysis of the main arguments in the Norwegian policy debate prior to the adoption of gender quota regulations for corporate boards of course shows differences between various actors in terms of which main arguments are front-and-centre and which are less emphasized. Nonetheless, the differences between the actors appear as a result of strategic assessments more than expressions of differences or disagreements about what the central arguments are in favour of gender quotas for corporate boards. It is more like the general support for gender equality and gender balance as mutual concerns for a just and democratic society constitutes the baseline in reasoning for gender quotas for corporate boards. When other arguments emphasize what is good for business, and even to some extent problems in the economy that may be bettered through gender quotas, are added to the baseline arguments, these arguments appear to be strategically chosen additional arguments.

9.5 Institutional Variation in Arguments for Descriptive Representation of Gender

In the following I discuss the previously presented arguments in favour of the regulation of gender balance in the Norwegian policy debate leading up to the adoption of gender quotas for corporate boards in 2003 in light of the main arguments central in the political science literature for the descriptive representation of gender in political structures. The aim is to examine the relevance and validity of justifications of gender balance according to institutional contexts and to contemplate the differences and similarities. The arguments under consideration include the justice argument, the difference/overlooked interest argument, the legitimacy argument, the role model argument and the pragmatic argument.

The core of the *justice* argument, as presented in the political science literature on the descriptive representation of gender, is that male dominance is unfair and an indication of the discrimination of women. The argumentation for gender quotas in

the policy debate prior to the adoption of the gender quota legislation saw justice as a baseline concern, although considerations of justice were mainly implicitly formulated. Gender balance in positions of power came forth as essential for a just and democratic society, and thus deviations from the gender balance principle needed to be remedied through the introduction of measures. In the debate, justice and democracy were viewed as two sides of the same coin, where gender balance appears as a proxy for both.

Justice arguments understood as a principle of anti-discrimination are obviously relevant irrespective of whether the institutional context is political structures or economic decision-making. Justice and democracy are of course linked in political structures, while the close association between justice and democracy that is established in the reasoning for gender quotas on corporate boards is less straightforward in connection with economic decision-making. In one way or another, political representation concerns a mandate to represent the electorate, consisting of half women and half men. The extent to which gender balance in economic decision-making concerns democracy is less clear. On one hand, gender balance in economic decision-making is not necessarily about democracy – that is, board members are elected among shareholders and the employees of the company, not by the population in general. On the other hand, the role of large corporations cannot necessarily be limited to the administration of the interests of the company and its owners but must also be seen in a broader context as a matter of the company's role in society and for the common good (Engelstad, 2015). Hence, these arguments relating to companies' wider role in society can also be seen as addressing the descriptive representation in economic decision-making positions. Yet, an expanded understanding of big corporations' role in society that includes expectation in regard to the gender composition of company boards can also be seen as an illustration of the politicization of companies and thus of institutional confusion.

The core of the *difference/overlooked interest* argument is that to secure the presence of both women's and men's (heterogeneous) interests both women and men need to be adequately represented. The basic claim is that the gender composition of political structures will have an impact on the content of decisions (substantive representation). Difference arguments are less relevant to the institutional context of economic decision-making and have not been central in the policy debate on gender quotas for corporate boards, although the Gender Equality Centre hints in this direction as they maintain that a male-dominated business life 'will be unable to meet the needs of their customers'. However, although economic decision-making basically is not about representing gendered interests, a persistent argument in debates on corporate board gender quotas has been that more women will strengthen diversity and thus be economically beneficial (cf. Chandler, 2016). Parts of the consulting industry have

been eager to argue that gender balance and diversity is good for business,¹⁵ which is also argued in parts of the research literature (see Terjesen et al., 2009; Torchia et al., 2011). Studies that analyze gender difference in economic decision-making find that women take fewer risks in ways that positively affect financial performance (cf. Barber & Odean, 2001) and that more women in male-dominated contexts enhance innovation (Torchia et al., 2011). A recent study shows that gender-balanced boards monitor and prevent corruption and other kinds of economic behaviour on the side of ethics (Einer et al., 2016).

Diversity as difference was however not a central argument for introducing corporate board gender quotas in the Norwegian case. It was rather the sameness of men and women, and hence the need to utilize the talents and competencies of both men and women, that played a key role in the policy debate. A human capital argument for gender balance has been particularly strongly advocated in relation to the regulation of gender balance in corporate boards, where the underutilization of women's advancements in the education system are seen as a problem with possible implications for a well-functioning business life. This reasoning is adjusted directly to economic decision-making, although it is also relevant for political structures. The simple claim that gender balance is necessary to secure the full utilization of human talent and competence has been the most typical for first-past-the-post systems, where meritocratic recruitment arguments generally have been stronger. Hence, although the utility argument has been the most strongly advocated in connection with gender balance on corporate boards, it can to some extent be argued to be similarly valid and relevant to political organizations. Basically the utility argument is a logical, numerical argument, stating that if the pool of relevant candidates is selected more or less from only half the population, the most talented and competent candidates will not be chosen. Thus, this argument applies in principle to any vertically skewed distribution of men and women in all institutional contexts.

In other words, although the difference argument is of evident relevance for political decision-making, a vaguer diversity argument has also been applied to fit economic life.

The baseline of the *legitimacy* argument in connection with gender-balanced political representation is that the equal representation of men and women increases the legitimacy of democratic institutions as the environment of political organizations consists of citizens characterized by a variety of interests and demands. The legitimacy of economic decision-making and individual companies is typically argued to rest on the more limited demands of their customers and their capability to successfully perform economically and sustainably operate. Nonetheless, in particular in the

¹⁵ See the McKinsey report from 2015 *Why Diversity Matters?* <http://www.mckinsey.com/business-functions/organization/our-insights/why-diversity-matters>

parliamentary debate, the persistent and pervasive male dominance in top positions in economic life was argued to contradict the image of Norway as one of the most gender-equal societies, and through this the legitimacy of male dominance in economic decision-making was questioned. The point made was that male dominance in economic life is in disharmony with general gender-equality advancements in Norwegian society. Thus, continued male dominance was argued to symbolize gender-equality shortcomings that would not be in step with Norway's position as a gender-equality forerunner. Whether this constitutes a legitimacy problem for companies is in fact another question. Considerations of the problematic association between continued male dominance in top positions in economic life and legitimacy actually come forth as a problem for the state more than for individual companies. To some extent this line of argumentation can be interpreted as an illustration of institutional confusion, where factors important for the legitimacy of the political system expand and become important for the legitimacy of other institutional spheres. However, sources of legitimacy are not fixed but fluid. To the extent that gender balance in central positions is associated with institutional legitimacy, or more specifically the more male dominance is associated with lack of institutional legitimacy, the more considerations of legitimacy may be relevant within different institutional contexts.

The relevance of the *role model* argument for gender balance is more straightforward. The role model argument simply says that more women in male-dominated areas have an important motivating effect on other women, that they become more motivated towards careers in male-dominated areas as a consequence of the existence of women role models. The role model argument was mentioned but was not central in the policy debate prior to the adoption of gender quotas for corporate boards. The relative absence of the role model argument may be due to the fact that the advocates of gender quotas were more concerned with male dominance as a result of an ignorance of women's talent potential – and thus implicit discrimination – more than with whether the supply of talented women was sufficient – or whether relevant women needed to be motivated.

At the heart of the *pragmatic* argument for the descriptive representation of gender in political structures lies a concern for how gender balance may be argued as important in party politics to attract women voters. Party competition over voters has favoured the inclusion of women candidates, being particularly effective in electoral systems of proportional representation (Lovenduski, 2010). It is less obvious in what way the pragmatic argument could be applicable to companies. The number of companies is numerous, and thus a gender-equality 'competition mechanism' is more difficult to imagine being initiated; for instance how the gender composition of the top management of companies could have an effect on traders' willingness to buy company shares or consumers' willingness to buy their products.

9.6 Conclusion

Claims for the descriptive representation of gender have diffused across countries and across institutional contexts from political organizations to the corporate world. This diffusion provides the context for the present exploration of the extent to which arguments for gender balance in political organizations are valid and relevant for economic decision-making, in particular for corporate boards. In this chapter the Norwegian policy debate leading up to the adoption of gender quotas for corporate boards in 2003 is evaluated and discussed in light of the main arguments central in the political science literature for the descriptive representation of gender in political structures.

I conclude that some of the arguments that have been developed for the descriptive representation of gender in political structures are even relevant and valid in relation to economic life and in particular as arguments in favour of gender balance for corporate boards. This applies in particular to the justice argument, where anti-discrimination indeed has relevance for other institutional contexts. The same clearly goes for the role model argument, which is equally relevant as an argument for including the underrepresented gender in political structures as in economic decision-making to motivate candidates to come forward. The arguments for gender balance emphasizing difference/overlooked interests and legitimacy also appear in versions adjusted to economic life: diversity and difference have some similarity in that gender balance as essential for legitimacy is also found in connection with gender balance in economic life. However, it appears to be more of a concern for the legitimacy of the state than for individual companies. The pragmatic argument is primarily concerned with political life.

The single most important argument in the Norwegian policy debate on gender quotas for corporate boards emphasizes gender balance as a question of the full utilization of the talent pool. This argument is also of some relevance for political structures, especially in first-past-the-post systems, where the merit selection of political representatives is often more strongly underscored.

The caveat is that the validity and relevance of arguments for the descriptive representation of gender in political structures often involve a certain degree of creative adaptation of arguments to fit with economic decision-making. The question remains as to whether the difference between arguing for the gender balance of political organizations is basically different from arguing for gender balance in corporate boards – if for no other reason because political organizations generally represent the humanity of a nation, half men and half women, while the representative mandate of companies, of corporate boards, at least in a minimalist conception, is to serve the interests of the company and its owners.

In spite of the obvious difference between political and economic organizations, a motion towards claims for gender balance in decision-making assemblies irrespective of institutional setting can be interpreted as an expression of the diffusion of the

gender balance norm and hence the increased importance of the gender balance norm for institutional legitimacy. Suk (2012) maintains that there was a turn in the arguments for gender balance around 2000 in many European countries, from gender balance being important for securing the representation of women to a rhetoric more concerned with gender balance as necessary to secure the democratic legitimacy of states (Suk, 2012, p. 455). We may understand this to imply that the perception of the economy as one-sidedly governed by the market logic of ‘profit & loss’ is changing – or at least that gender-balanced decision-making is widely recognized as crucial for institutional legitimacy in democratic societies.

References

- Allern, E., Heidar, K., & Karlsen, R. (2016). *After the Mass Party. Continuity and Change in Political Parties and Representation in Norway*. Lanham: Lexington Books.
- Baldez, L. (2006). The Pros and Cons of Gender Quota Laws: What Happens When You Kick Men Out and Let Women In? *Politics & Gender*, 2(1), 102-109.
- Barber, B. M., & Odean, T. (2001). Boys Will Be Boys. Gender, Overconfidence, and Common Stock Investments. *The Quarterly Journal of Economics*, 116(1), 261-292.
- Bjarnegård, E. (2013). *Gender, Informal Institutions, and Political Recruitment. Explaining Male Dominance in Parliamentary Representation*. London Palgrave Macmillan.
- Carstensen, M. B., & Schmidt, V. A. (2015). Power Through, Over and In Ideas: Conceptualizing Ideational Power in Discursive Institutionalism. *Journal of European Public Policy*, 23(3), 318-337.
- Chandler, A. (2016). Women on Corporate Boards: A Comparison of Parliamentary Discourse in the United Kingdom and France. *Politics & Gender*, 12, 443-468.
- Childs, S., & Lovenduski, J. (2013). Political Representation. In G. Waylen, K. Celis, J. Kantola, & L. S. Weldon (Eds.), *Oxford Handbook of Gender and Politics*. Oxford: Oxford University Press.
- Cotter, D., Hermsen, J. M., & Vanneman, R. (2011). The End of the Gender Revolution? Gender Role Attitudes from 1977 to 2008. *American Journal of Sociology*, 116(4), 259-289.
- Cvijanovic, A. I. (2009). *Rettferdig og rimelig? Om kjønnskvalitet til styrene i allmennaksjeselskap*. Fakultet for samfunnsvitenskap. Bodø: Høyskolen i Bodø.
- Dahl, Robert A. (1998). *On Democracy*. New Haven: Yale University Press.
- Dahlerup, D., & Freidenvall, L. (2005). Quotas as a ‘Fast Track’ to Equal Representation for Women. *International Feminist Journal of Politics*, 7(1), 26-48.
- Davidson, M., & Burke, R. J. (2000). *Women in Management World-Wide. Progress and Prospects*. New York: Routledge
- Davidson-Schmich, L. K. (2016). *Gender Quotas and Democratic Participation. Recruiting Candidates for Elective Offices in Germany*. Ann Arbor: University of Michigan Press.
- Dovi, S. (2007). Theorizing the Representation of Women. *Gender & Politics*, 3, 297-319.
- Einer, M., Marton, J., Samani, N., & Söderquist, J. (2016). Gender Diversity on the Board of Directors and Earnings Management. University of Gothenburg. Unpublished paper.
- Ely, R., Stone, P., & Ammerman, C. (2014). Rethink What You ‘Know’ about High-Achieving Women. *Harvard Business Review*, 12(92), 100-109.
- Evenrud, M. (2010). *Politisk diskurs forut for innføringen av lov om kjønnsrepresentasjon av begge kjønn i styrene til allmennaksjeselskap* (Master thesis, University of Oslo, Oslo, Norway).

- Engelstad, F. (2015). Property Rights, Governance and Power Balances. In F. Engelstad & A. Hagelund (Eds.), *Cooperation and Conflict the Nordic Way. Work, Welfare and Institutional Change in Scandinavia*. Berlin: De Gruyter.
- Franceschet, S., Krook, M. L., & Piscopo, J. M. (Eds.) (2012). *The Impact of Gender Quotas*. New York: Oxford University Press.
- Franceschet, S. & Piscopo, J. M. (2013). Equality, Democracy, and the Broadening and Deepening of Gender Quotas. *Politics & Gender*, 4(3), 310-316.
- Holst, C. (2016). The Costs and Benefits of Descriptive Representation. Women's Quotas, Variations in State-Feminism and the Fact of Reasonable Feminism. In H. Danielsen, K. Jegerstedt, R. L. Muriaas & B. Ytre-Arne (Eds.), *Gender Citizenship and the Politics of Representation* (87-110). London: Palgrave Macmillan.
- Kanter, R. (1977). *Men and Women of the Corporation*. New York: Basic Books.
- Krook, M. L. (2006). Gender Quotas, Norms and Politics. *Politics & Gender*, 2(1), 110-118.
- Krook, M. L. (2009). *Quotas for Women in Politics*. New York: Oxford University Press.
- Krook, M. L. (2014). Electoral Gender Quotas: A Conceptual Analysis. *Comparative Political Studies*, 47(9), 1268-1293.
- Lombardo, E., & Meier, P. (2014). *The Symbolic Representation of Gender. A Discursive Approach*. Aldershot: Ashgate.
- Lépinard, É., & Marin, R. R. (forthcoming in 2018). *Transforming Gender Equality: The Irresistible Rise of Gender Quotas in Europe*. Cambridge: Cambridge University Press.
- Mansbridge, J. (1999). Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes'. *The Journal of Politics*, 61(3), 628-657.
- Mansbridge, J. (2011). Clarifying the Concept of Representation. *American Political Science Review*, 97(4), 515-528.
- Nanivadekar, M. (2006). Are Quotas a Good Idea? The Experience with Reserved Seats for Women. *Politics & Gender*, 2(1), 119-128.
- Norris, P., & Lovenduski, J. (1993). 'If Only More Candidates Came Forward': Supply-side Explanations of Candidate Selection in Britain. *British Journal of Political Science*, 23(3), 373-408.
- Olsen, J. P. (1998). Offentlig styring i en institusjonsforvirret tid. *Nytt Norsk Tidsskrift*, 5(1), 7-20.
- Ot.prp.nr 97. (2002-2003). Om lov om endringer i lov 13. juni 1997 nr. 44 om aksjeselskaper, lov 13. juni 1997 nr. 45 om allmennaksjeselskaper og i enkelte andre lover (likestilling i styret i statsaksjeselskaper, statsforetak, allmennaksjeselskaper mv.). Oslo: Barne-, likestilling- og inkluderingsdepartementet.
- Pateman, C. (1988). *The Sexual Contract*. Stanford: Stanford University Press.
- Phillips, A. (1995). *The Politics of Presence*. Oxford: Oxford University Press.
- Pitkin, H. F. (1967). *The Concept of Representation*. Berkeley: University of California Press.
- Sapiro, V. (1981). When are Interests Interesting? The Problem of Political Representation of Women. *American Political Science Review*, 75(3), 701-716.
- Skjeie, H. (1991). The Uneven Advance of Norwegian Women. *New Left Review*, 187, 79-102.
- Suk, J. C. (2012). Gender Parity and State Legitimacy: From Public Office to Corporate Boards. *International Journal of Constitutional Law*, 10(2), 449-464.
- Sørensen, S. Ø. (2011). Statsfeminismens møte med næringslivet - Bakgrunnen og gjennombruddet for kjønnskotering i bedriftsstyret som politisk reform. *Tidsskrift for kjønnsforskning*, 35(2), 102-119.
- Sørensen, S. Ø. (2013). *Likestilling uten kjønn?: En studie av hvordan kjønnskotering til bedriftsstyret ble montert som politisk reform* (Ph.D. thesis, NTNU, Trondheim, Norway). Retrieved from <https://brage.bibsys.no/xmlui/handle/11250/24420>.
- Teigen, M. (2002). Kotering til styreverv – Mellom offentlig og privat handlefrihet. *Tidsskrift for samfunnsforskning*, 43(1), 73-104.

- Teigen, M. (2015). The Making of Gender Quotas for Corporate Boards in Norway. In F. Engelstad & A. Hagelund (Eds.), *Cooperation and Conflict the Nordic Way. Work, Welfare and Institutional Change in Scandinavia*. Berlin: De Gruyter.
- Terjesen, S., Sealy, R., & Singh, V. (2009). Women Directors on Corporate Boards: A Review and Research Agenda. *Corporate Governance: An International Review*, 17(3), 320-337.
- Torchia, M., Calabrò, A., & Huse, M. (2011). Women Directors on Corporate Boards: From Tokenism to Critical Mass. *Journal of Business Ethics*, 102, 299-317.
- Wängnerud, L. (2009). Women in Parliaments: Descriptive and Substantive Representation. *Annual Review of Political Science*, 12, 51-69.